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BEFORE THE ARIZONA STATE BOARD OF  
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

In the Matter of: )  
PATRICK MARSH, D.O. ) STIPULATION AND CONSENT  
Holder of License No. 2502 ) ORDER FOR PROBATION AND  
For the Practice of ) REHABILITATION  
Osteopathic Medicine in the )  
State of Arizona )

Pursuant to the foregoing Stipulation and in order to protect the public and ensure the physician's ability to safely engage in the practice of medicine, the Board enters the following Order, pursuant to vote of the Board on August 26, 1994, during public meeting.

STIPULATION

By mutual agreement and understanding, the Arizona State Board of Osteopathic Examiners ("Board") and Patrick Marsh, D.O. (hereinafter "Respondent"), the parties hereto agree to the following disposition of this matter.

1. Respondent acknowledges that he has read this Stipulation and the Consent Order; and, he is aware of and understands the content of these documents.

2. Respondent understands that by entering into this Stipulation, he voluntarily relinquishes any rights to a hearing on the matters alleged as grounds for Board action.

3. Respondent acknowledges his understanding that this Consent Order and Stipulation will not become effective

1 unless approved by this Board and signed by its Executive  
2 Director.

3 4. Respondent further understands that this  
4 Stipulation and Consent Order, once approved and signed, shall  
5 constitute a public record which may be disseminated as a formal  
6 action of the Board.

7 5. Respondent admits to the facts and consents to all  
8 the terms of discipline contained in the Consent Order.

9 IT IS HEREBY STIPULATED AND AGREED that any violation  
10 of said Consent Order constitutes unprofessional conduct within  
11 A.R.S. § 32-1854.26, and may result in disciplinary action  
12 pursuant to A.R.S. § 32-1855.

13 REVIEWED AND ACCEPTED this 2<sup>nd</sup> day of September,  
14 1994.

15  
16 Patrick J. Marsh  
17 PATRICK MARSH, D.O.

18 STATE OF Arizona )  
19 ) ss  
20 County of Maricopa )

21 This instrument was acknowledged before me this 2<sup>nd</sup>  
22 day of September, 1994, by the above-named individual.

23 Phyllis Lundy  
24 NOTARY PUBLIC  
(Print or type name hereunder)

25 My Commission Expires:

26 4/11/98  
2056A.42-43

Phyllis Lundy

1  
2 BEFORE THE ARIZONA STATE BOARD OF  
3 OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

4 In the Matter of: )  
5 PATRICK MARSH, D.O. ) STIPULATION PROBATION  
6 Holder of License No. 2502 ) ORDER  
7 For the Practice of )  
8 Osteopathic Medicine in the )  
9 State of Arizona )

10 STATEMENT OF FACTS

11 Confidential information was brought to the attention  
12 of the Arizona Board of Osteopathic Examiners in Medicine and  
13 Surgery (hereinafter "Board") in Executive session during the  
14 meeting of August 26<sup>th</sup>, 1994 giving cause to believe that Patrick  
15 Marsh, D.O. (hereinafter, "Respondent"), holder of license  
16 number 2502 for the practice of osteopathic medicine and surgery  
17 in the State of Arizona, may be physically and/or  
18 psychologically unable to safely and skillfully engage in the  
19 practice of medicine and may have committed one or more acts of  
20 unprofessional conduct as defined in A.R.S. § 32-1854.22.  
21 Thereafter, in public session the Board voted to authorize the  
22 Board's Executive Director to enter the following stipulated  
23 order regarding Respondent.

24 CONCLUSIONS OF LAW

25 1. The Arizona State Board of Osteopathic Examiners  
26 has jurisdiction over the person and subject matter presented by  
this matter, pursuant to A.R.S. § 32-1800, et seq.

1           2.    The Board has the authority to enter into a  
2 stipulated order pursuant to A.R.S. § 41-1061(D) and § 32-1855.

3                               ORDER

4           THEREFORE, in lieu of further proceedings as a  
5 disposition of the matter the following order is entered.

6           1.    Patrick Marsh, D.O. agrees to and provide signed  
7 authorizations for all physicians, psychologists, and other  
8 health care providers involved in his care and treatment to  
9 release any and all information on his diagnosis, care and  
10 treatment to the Board or its representatives; and

11           2.    Patrick Marsh, D.O. agrees to refrain completely  
12 from the practice of osteopathic medicine and surgery until he  
13 has met the following conditions:

14               a.    Been evaluated and received clearance from any and  
15 all physicians, involved in/or charged with his care and  
16 treatment, to return to the practice of medicine; and;

17               b.    Provided the Board with copies of release forms  
18 and/or discharge diagnosis and treatment plans documenting that  
19 he has received clearance to return to the practice of medicine  
20 as specified in paragraph #1; and,

21               c.    Met with the Board after submitting written  
22 request to the Board for approval to resume the practice of  
23 medicine, subject to any Board imposed conditions or  
24 restrictions, and received said authorization from the Board.

25           3.    While this agreement is in force and effect, the  
26 terms and conditions of Patrick Marsh, D.O.'s prior order of

1 probation with the Board shall be held in abeyance. If and when  
2 he is approved by the Board to return to the practice of  
3 medicine, the terms and conditions of his prior order of  
4 probation shall be reinstituted in full force and effect.

5 4. Patrick Marsh, D.O. agrees that, at such time as  
6 he is cleared to return to the practice of medicine by the  
7 Board, the Board may, at its sole discretion, make any changes  
8 or modifications to the terms and conditions of his order of  
9 probation that the Board determines are necessary to protect the  
10 public health and safety.

11 5. Violation of any of the terms or conditions of  
12 this agreement constitutes an act of unprofessional conduct as  
13 defined in A.R.S. § 32-1854.26 and may subject the license  
14 holder, Patrick Marsh, D.O., to disciplinary action as  
15 determined by the Board.

16 6. This stipulated order shall remain in force and  
17 effect until modified ~~or~~ terminated by the Board.

18 ENTERED AND EFFECTIVE this 2nd day of September,  
19 1994.

20 REVIEWED AND APPROVED by:

21  
22 Patrick J. Marsh  
23 PATRICK MARSH, D.O.

24 by Robert J. Miller  
25 ROBERT J. MILLER, PH.D.  
26 Executive Director  
Arizona Board of Osteopathic  
Examiners in Medicine and  
Surgery

2056A.44-46